

Panaji, 4th June, 2015 (Jyaistha 14, 1937)

SERIES II No. 10

OFFICIAL GAZETTE

GOVERNMENT OF GOA

PUBLISHED BY AUTHORITY

GOVERNMENT OF GOADepartment of Civil Supplies and
Consumer Affairs**Order**

No. DCS/ADCS/IPCP/85/08/2015-16/149

Read: 1) Guidelines and Norms (Infrastructural Benchmarks) for the XIIth Plan Scheme Strengthening of Consumer Fora Phase-II issued by Ministry of Consumer Affairs, Food and Public Distribution Department of Consumer Affairs, Government of India, New Delhi.

2) Modified Guidelines conveyed vide letter No. 4(1)2012-CPU dated 11-12-2014 Ministry of Consumer Affairs, Food and Public Distribution (Department of Consumer Affairs), Krishi Bhavan, New Delhi.

3) Order No. DCS/ADCS/IPCP/85/08/2013-14/334 dated 19-06-2013.

Whereas vide order read at Sr. No. 3 above, the Government had constituted a Empowered Committee under the Guidelines read at Sr. No. 1 above. Now that Government of India vide its letter read at Sr. No. 2 above has informed that the said guidelines have been modified as regards to the constitution of Empowered Committee.

Therefore the Government is pleased to reconstitute the said Empowered Committee as per Modified Guidelines as under:

- | | |
|---------------------------------------|-----------|
| 1. Secretary (Civil Supplies) | Chairman. |
| 2. The Collector, North Goa District, | Member. |
| Panaji-Goa | |
| 3. The Collector, South Goa District, | Member. |
| Margao-Goa | |

4. Joint Secretary/Director Level Member.
Officer of the Department of
Consumer Affairs, Government
of India representing the Central
Government.

5. Director of Civil Supplies & Member.
Consumer Affairs Secretary

By order and in the name of the Governor
of Goa.

Vikas S. N. Gaunekar, Director & ex officio Joint
Secretary (Civil Supplies and Consumer Affairs).

Panaji, 30th April, 2015.

**Department of Co-operation**

Office of the Registrar of Co-operative Societies

Order

No. 48-8-2001-TS-RCS/III

In exercise of the powers conferred on me under Section 86(1) of the Goa Co-operative Societies Act, 2001 read with Rule 116(1) of the Goa Co-operative Societies Rules, 2003, I, N. R. Sawant, Registrar of Co-operative Societies, Goa hereby appoint Adv. _____, as Registrar's Nominee for deciding the disputes arising in any of the Co-operative Societies referred to him by the Registrar of Co-operative Societies, Panaji or Asstt. Registrar of Co-operative Societies, Central Zone, Panaji, Ponda Zone, Ponda, South Zone, Margao, North Zone, Mapusa, Quepem Zone, Quepem Election Cell, North Goa District, Panaji, Election Cell, South Goa District, Margao, The Asstt. Registrar of Co-op. Societies, Arbitration & Execution (North), Panaji Goa and The Asstt. Registrar of Co-op. Societies, Arbitration & Execution (South), Margao-Goa, as the case may be for the period from 01-04-2015 to 31-03-2016.

The R's Nominees so appointed shall refrain himself from representing before the above mentioned authorities as a legal practitioner of a party to the dispute under the provisions of Goa Co-operative Societies Act, 2001.

Sd/- (Narayan R. Sawant), Registrar of Co-op. Societies.

Panaji, 28th April, 2015.

To,

He is advised to maintain all the case files in terms of Civil Manual issued by the Hon'ble High Court for the guidelines of the subordinate Courts keeping in view the provisions of the Goa Co-operative Societies Rules, 2003. It should be ensured that the judgement should be pronounced within a period of 3 months from the date of conclusion of the final arguments and the order shall not be delayed beyond a period of 2 months from the date of pronouncement of Judgment in accordance with the judgement given by Hon'ble Hight Court under the writ petition No. 281 of 2006 dated 24-08-2006.

Sr. No.	Name	Address
1	2	3
1.	Adv. Mukund V. Pai Off-2437086 M-9822585929	S-4, Patto Centre, 2nd Floor, Patto Centre Building, Panaji-Goa.
2.	Adv. A. A. Jog	101, Chandra Sadan, Near Hotel Neptune, Panaji-Goa, 403 001.
3.	Adv. Ghanashyam Pai M-9371558383	A-1, F-12, 1st Floor, Jairam Kurtarkar Complex, Neuginagar, Panaji-Goa.
4.	Adv. Satyawar Gunlo Palkar	Advocate & Notary, Gokhale Building, Upper Bazar, Ponda-Goa 403 401.
5.	Adv. Prashant Agarwal M-9822106075	106, 1st Floor, Shiv Towers, Patto Plaza, Panaji-Goa 403 001.
6.	Adv. Uday Chodnekar R-2752282 M-9822167134	Apana Bazar, 2nd Floor, Building D, S-9, Margao.

1	2	3
7.	Adv. M. N. Bhartiya 2416166 M-9226770727	406/144, PDA Colony, Alto-Porvorim, Bardez-Goa 403 521.
8.	Adv. Rajesh Narvekar 2250055/2250066	Narvekar Chambers, Near Central Bank, Mapusa-Goa.
9.	Adv. S. V. Taulikar 2518188	9, Karma Paes Avenue, 2nd Floor, Opp. Civil & Criminal Court, Vasco-da-Gama, Goa.
10.	Adv. Yeshwant V. Gauns 2374939 9423055770	H. No. 121-A, Ward No. 5, Nanus Road, Valpoi, Satari-Goa.
11.	Adv. N. P. Gaunekar	H. No. 497, St. Fransisco Ward, Goa Velha, Tiswadi-Goa.
12.	Adv. B. S. Gaunkar	850/A, Parvati Niwas, Journalist Colony, Alto-Betim, Bardez-Goa.
13.	Adv. Mrs. Reena D. Naik Rasaikar 9823696514	Flat No. 5, 3rd Floor, Prasheel Co-op. Housing Society, Behind Canara Bank, Ponda-Goa.
14.	Adv. Kishore L. Bhagat Off-2288013 M-9881313831	Ameya Shopping Complex, Near K.T.C. Bus Stand, Marcel-Goa 403 107.
15.	Adv. Suhas K. Kundaikar 9923082179 (R) 2314751	Gurudas Baba Nivas, Opp. Maruti Mandir, Warkhande, Ponda-Goa 403 401.
16.	Adv. Arun Anant Naik 9371196126	1st Floor, Misquita House, near La Capitol Hotel, Panaji-Goa.
17.	Adv. Vallabh Falari Ph-08322362952/ /9422018589	Antil Peth, F-10, Paul Tower, near Petrol Pump Bicholim-Goa.
18.	Adv. Rajkumar Naik Ph-9423819813/ /9890	Shop No. 54, 2nd Floor, Apna Bazar Bldg., Vasco-da-Gama.
19.	Adv. Shilpa V. Shirgaokar	Om Sai Apartment, 2nd Floor, Near Ravindra Bhavan, Sakhali, Goa.

1	2	3
20. Adv. Amol Thali 9822179135	302, 3rd Floor, Vagle Vision, 18th June Road, Panaji.	
21. Adv. Arun A. Sinai Talaulikar 2451929 (R) 9890219015	F-2, Anusuya Apts., Near Sateri Temple, Amaral, Taleigao-Goa.	
22. Adv. Harsha Naik O-2421225 9552876578	Prema Building, 1st Floor, Near Mary Immaculate School, Panaji-Goa.	
23. Adv. Bhagwan D. Shirodkar 9822133302	Office No. 24, Mapusa Trade Centre, Above Royal Foods, Opp. Sub-Registrar Bldg., Morod, Mapusa-Goa.	
24. Adv. Kavita P. Karekar 2262943 9923196904	R/o H. No. 83A, Ward No. 6, Altinho, Mapusa, Bardez-Goa.	
25. Adv. Swati Kalidas Karekar	C/o Mahesh Tari, Flat No. 3, Bldg. A, Shivam Apartment, Shantinagar, Ponda-Goa.	
26. Mrs. Sushma T. Mandrekar alias Sushma Harish Chodankar 9272313749	H. No. 713/33, Ardhawada, Maem, Bicholim-Goa.	
27. Adv. Sagar R. Parab 9049630289	T1, 3rd Floor, Shetye Sankul, Tisk, Ponda-Goa.	
28. Adv. Pandurang N. Parab 9421307722	Ashutosh Bldg., Opp. Sales Tax Office, 1st Floor, Curchorem- Goa.	
29. Adv. Shivaji B. Sinai Bhaangi 2420814 9421150770	G1-A4, Caculo Enclave Co-op. Housing Society Ltd., Opp. Fire Station, St. Inez, Panaji-Goa.	
30. Adv. Gajanan Subrai Sambaray 9890625868 9049914696	C/o Adv. Meera Medhakar, 2nd Floor, Pinto Chamber Panaji-Goa.	
31. Adv. Dipak G. Shet 9822159959	C/o Deep Stationary, Behind State Bank of India, Magnum Centre, Panaji-Goa.	

Office of the Asstt. Registrar of Co-operative Societies

Notification

In exercise of the powers vested in me under Section 8(1) of the Goa Co-operative Societies Act, 2001, the Libra Harmony Co-op. Housing Maintenance Society Ltd., St. Jerome Vaddo, Xelpem, Duler, Mapusa, Bardez-Goa, has been registered under code symbol No. GEN-74/NZ/Goa.

Sd/- (Uday V. Vaidya), Asstt. Registrar of Co-op. Societies (North Zone).

Mapusa, 8th April, 2015.

Certificate of Registration

The Libra Harmony Co-op. Housing Maintenance Society Ltd., St. Jerome Vaddo, Xelpem, Duler, Mapusa, Bardez-Goa, has been registered on 08-04-2015 and it bears registration code symbol No. GEN-74/NZ/Goa. It is classified as "Housing Maintenance Society" in terms of Rule 8(1)(7) and sub-classified as "Co-operative Housing Maintenance Society" under sub-rule 7(d) of Rule 8(1) of the Goa Co-operative Societies Rules, 2003.

Sd/- (Uday V. Vaidya), Asstt. Registrar of Co-op. Societies (North Zone).

Mapusa, 8th April, 2015.

Notification

In exercise of the powers vested in me under Section 8(1) of the Goa Co-operative Societies Act, 2001, the Prabhu Estate Co-op. Housing Maintenance Society Ltd., Duler, Mapusa, Bardez-Goa, has been registered under code symbol No. GEN-75/NZ/Goa.

Sd/- (Uday V. Vaidya), Asstt. Registrar of Co-op. Societies (North Zone).

Mapusa, 9th April, 2015.

Certificate of Registration

The Prabhu Estate Co-op. Housing Maintenance Society Ltd., Duler, Mapusa, Bardez-Goa, has been registered on 09-04-2015 and it bears registration code symbol No. GEN-75/NZ/Goa. It is classified as "Housing Maintenance Society" in terms of Rule 8(1)(7) and sub-classified as "Co-operative Housing Maintenance Society" under sub-rule 7(d)

of Rule 8(1) of the Goa Co-operative Societies Rules, 2003.

Sd/- (Uday V. Vaidya), Asstt. Registrar of Co-op. Societies (North Zone).

Mapusa, 9th April, 2015.

Notification

In exercise of the powers vested in me under Section 8(1) of the Goa Co-operative Societies Act, 2001, Shri Laxmi Narayan Self Help Group Co-op. Society Ltd., Bayem, Surla, Bicholim-Goa, has been registered under code symbol No. GEN-(c)-491/SHG/NZ/Goa.

Sd/- (Uday V. Vaidya), Asstt. Registrar of Co-op. Societies (North Zone).

Mapusa, 20th April, 2015.

Certificate of Registration

Shri Laxmi Narayan Self Help Group Co-op. Society Ltd., Bayem, Surla, Bicholim-Goa, has been registered on 20-04-2015 and it bears registration code symbol No. GEN-(c)-491/SHG/NZ/Goa. It is classified as "General Society" in terms of Rule 8(1)(12) and sub-classified as "Other Society" under sub-rule 12(c) of Rule 8(1) of the Goa Co-operative Societies Rules, 2003.

Sd/- (Uday V. Vaidya), Asstt. Registrar of Co-op. Societies (North Zone).

Mapusa, 20th April, 2015.

Notification

In exercise of the powers vested in me under Section 8(1) of the Goa Co-operative Societies Act, 2001, Bhavani Vithalapur Self Help Group Co-op. Society Ltd., Vithalapur, Karapur, Sankhali, Bicholim-Goa has been registered under code symbol No. GEN-(c)-490/SHG/NZ/Goa.

Sd/- (Uday V. Vaidya), Asstt. Registrar of Co-op. Societies (North Zone).

Mapusa, 17th April, 2015.

Certificate of Registration

Bhavani Vithalapur Self Help Group Co-op. Society Ltd., Vithalapur, Karapur, Sankhali, Bicholim-Goa has been registered on 17-04-2015 and it bears registration code symbol No. GEN-(c)-490/SHG/NZ/Goa. It is classified as "General Society" in terms of Rule 8(1)(12) and sub-

-classified as "Other Society" under sub-rule 12(c) of Rule 8(1) of the Goa Co-operative Societies Rules, 2003.

Sd/- (Uday V. Vaidya), Asstt. Registrar of Co-op. Societies (North Zone).

Mapusa, 17th April, 2015.

Notification

In exercise of the powers vested in me under Section 8(1) of the Goa Co-operative Societies Act, 2001, Shree Dattatray Carjuem Self Help Group Co-op. Society Ltd., Hattalwada, Corjuem, Aldona, Bardez-Goa, has been registered under code symbol No. GEN-(c)-489/SHG/NZ/Goa.

Sd/- (Uday V. Vaidya), Asstt. Registrar of Co-op. Societies (North Zone).

Mapusa, 16th April, 2015.

Certificate of Registration

Shree Dattatray Carjuem Self Help Group Co-op. Society Ltd., Hattalwada, Corjuem, Aldona, Bardez-Goa, has been registered on 16-04-2015 and it bears registration code symbol No. GEN-(c)-489/SHG/NZ/Goa. It is classified as "General Society" in terms of Rule 8(1)(12) and sub-classified as "Other Society" under sub-rule 12(c) of Rule 8(1) of the Goa Co-operative Societies Rules, 2003.

Sd/- (Uday V. Vaidya), Asstt. Registrar of Co-op. Societies (North Zone).

Mapusa, 16th April, 2015.

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Department of Finance

Revenue & Control Division

Directorate of Accounts

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Order

No. DA/Admn/14-12/2015-16/TR-103/74

Government is pleased to relax the requirement of qualifying service of three (03) years in respect of the Lower Division Clerks in this Directorate as notified under Order No. F4/18-2/66 dated 30-09-1966 to the below mentioned personnel for promotion to the post of Accounts Clerk to the extent as indicated in Column No. 4 against their names by invoking Rule 5 of the Recruitment Rules for the post of UDC notified in the Official Gazette dated 17-11-1988:

Sr. No.	Name of the Official	Date of regular appointment to the post in Dte. of Accounts	Relaxation period upto 02-04-2015
1	2	3	4
1.	Shri Govind M. Sawal	23-07-2012	3 months, 21 days.
2.	Smt. Sanjyot D. Hegde	23-07-2012	3 months, 21 days.
3.	Smt. Archana A. Fatarpekar	23-07-2012	3 months, 21 days.
4.	Shri Ashish A. Ramnathker	23-07-2012	3 months, 21 days.
5.	Shri Amol S. Shirodkar	23-07-2012	3 months, 21 days.
6.	Shri Poonam G. Chodankar (OBC)	23-07-2012	3 months, 21 days.
7.	Kum. Priyanka P. Naik (OBC)	23-01-2013	9 months, 21 days.
8.	Shri Shekhar K. Naik	13-02-2013	10 months 11 days.
9.	Shri Sandesh H. Konadkar (OBC)	13-02-2013	10 months 11 days.
10.	Shri Govind N. Mandrekar	21-02-2013	10 months 19 days.
11.	Smt. Shubhangi S. Nanodkar	21-02-2013	10 months 19 days.
12.	Shri Vijay S. Naik	13-02-2013	10 months 11 days.
13.	Smt. Sweta G. Narvekar	21-02-2013	10 months 19 days.
14.	Smt. Saiechya H. Gauns	01-04-2013	1 year.
15.	Shri Rajendra B. Prabhu	01-04-2013	1 year.
16.	Shri Sandeep R. Parab	01-04-2013	1 year.
17.	Smt. Kavita P. Shet	01-04-2013	1 year
18.	Smt. Sunita A. Gadekar	01-04-2013	1 year
19.	Smt. Radhika R. Pednekar	16-04-2013	1 year 14 days.
20.	Shri Vijay D. Naik	09-05-2013	1 year 1 month 07 days.
21.	Smt. Krupa V. Naik	01-10-2013	1 year 6 months.
22.	Smt. Sapana E. Dhuri	01-10-2013	1 year 6 months.
23.	Smt. Geeta K. Naik	01-11-2013	1 year 7 months
24.	Smt. Jyoti D. Sankhalkar alias Jyoti L. Khandolkar	29-11-2013	1 year 8 months

It is also certified as follows:

- That the officials at Sr. Nos.1 to 18 have successfully completed the period of probation of two years in this Directorate & were confirmed vide Office Order No.1147 issued vide No. DA/Admn/19-51/2014-15/TR-2716/1624 dated 27-02-2015.
- That the period of probation of two years in this Directorate in respect of the officials at Sr. No.19 to 24 is curtailed and hereby declared that they have successfully completed the period of probation.
- That all the above mentioned officials except at Sr. No.7 have worked for more than 09 years under Pre-employment Training Scheme (PETS).

This issues with the concurrence/approval of the Department of Personnel vide their U. O. No. 5094-F dated 30-06-2014.

By order and in the name of the Governor of Goa.

Gokuldas P. Kanekar, Director & ex officio Joint Secretary (Accounts).

Panaji, 15th April, 2015.



Department of Information and Publicity

Order

No. DI/INF/Admn/2(27) Part-2015/1085

Government is pleased to promote on ad hoc basis the below mentioned Assistant Information Officers to the post of Information Officers, Group 'B', Gazetted in the Department of Information & Publicity, in the pay band of Rs. 9,300-34,800+ Grade Pay of Rs. 4,600/-(PB-2) and other allowances admissible as per rules with immediate effect for a period of one year or till the posts are filled on regular basis, whichever is earlier.

1. Shri Prakash Sadashiv Naik.
2. Shri John Carlos Aguiar.

The above ad hoc promotion will not bestow on the promoted officers any claim for regular promotion nor the service rendered on ad hoc basis in the grade will be counted for the purpose of seniority in that grade for eligibility for promotion to the next higher grade.

By order and in the name of the Governor of Goa.

Arvind Bugde, Director & ex officio Joint Secretary (Information & Publicity)

Porvorim, 28th May, 2015.

Department of Labour

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Notification

No. 28/1/2015-Lab/Part-I/490

The following award passed by the Industrial Tribunal and Labour Court at Panaji-Goa on 03-03-2015 in reference No. IT/23/14 is hereby published as required by Section 17 of the Industrial Disputes Act, 1947 (Central Act 14 of 1947).

By order and in the name of the Governor of Goa.

Shashank V. Thakur, Under Secretary (Labour).
Porvorim, 6th May, 2015.

IN THE INDUSTRIAL TRIBUNAL
AND LABOUR COURT
GOVERNMENT OF GOA
AT PANAJI

(Before **Ms. Bimba K. Thaly**, Presiding
Officer)

Ref. No. IT/23/14

Shri Abhijeet Dessai
Rep. by the President,
Goa Trade & Commercial
Workers Union,
Velho Building, 2nd floor,
Panaji Goa.

... Workman/Party I

V/s

M/s. GKB- Hi-Tech
Lenses Pvt. Ltd.,
50, Tivim Industrial Estate,
Karaswada,
Mapusa, Bardez Goa

... Employer/Party II

Workman/Party I in person.

Adv. Shri A. Carvalho holding for

Adv. Shri G. K. Sardesai for Employer/Party II

AWARD

(Passed on 3rd day of March 2015)

In exercise of the powers conferred by clause (d) of sub-section (1) of Section 10 of the Industrial Disputes Act, 1947 (Central of 1947) (for Short The Act) the Government of Goa by order dated 05-06-2014 bearing No. 28/16/2014-Lab/325 has referred the following dispute for adjudication by this Tribunal.

“(1) Whether the action of the management of M/s. GKB- Hi-Tech Lenses Private Limited, Karaswada, Mapusa, Goa, in refusing

employment to Shri Abhijeet Dessai, operator, with effect from 07-09-2012, is legal and justified?

(2) If not, what relief the workman is entitled to?”

2. On receipt of the reference, IT/23/14 was registered. Notices were issued to both the parties, upon which both were served. In the course of further proceedings, Party I workman appeared in person and filed an application dated 12-1-15 at Exb.6 stating that he does not wish to peruse the present reference and that appropriate order/ Award be passed in the matter. Party II gave no objection to the above request of Party I.

3. It may be mentioned that the reference of the dispute has been made by the State Government at the instance of the workman. The order of the employer in refusing employment to the workman w.e.f. 07-09-2012 is challenged by the workman by raising Industrial Dispute which has been referred to this Tribunal by the State Government, for adjudication.

4. It is settled law that if a party challenges the legality of an order, the burden lies upon him to prove the illegality of the order. It was, therefore incumbent upon the workman to have substantiated his allegation that refusal of services to him by the employer w.e.f. 07-09-2012 was not legal and justified. Reliance is placed on the judgment in **V. K. Raj Industries V/s Labour Court (1) and others 1981 (29) FL.L. R. 194** in which it is observed as under:

“the proceedings before the Industrial Court are judicial in nature, even though the Indian Evidence Act does not apply to the proceedings but the principle underlying the said Act is applicable to the proceeding before the Industrial Court. In a judicial proceeding if no evidence is produced the party challenging the validity of the order must fail. It is well settled that if a party challenges the legality of an order, the burden lies upon him to prove illegality of the order and if no evidence is produced, the party invoking jurisdiction of the court must fail.”

5. It may be mentioned here that Party I instead of filing the claim statement and adducing evidence in support of his grievance, has informed the court that he does not wish to pursue the present reference. This being the case, there is no material before me to hold that the said order of refusal of employment by the employer, is illegal and unjustified.

6. In the circumstances, I hold that the workman has failed to prove that the action of the employer in refusing employment w.e.f. 07-09-2012 is illegal and unjustified and hence I pass the following:

ORDER

1. It is hereby held that the action of the management of M/s. GKB- Hi-Tech Lenses Private Limited, Karaswada, Mapusa, Goa, in refusing employment to Shri Abhijeet Dessai, operator, with effect from 07-09-2012, is legal and justified.
2. Party I workman is therefore not entitled to any relief.
3. No order as to costs.

Inform the Government accordingly.

Sd/-
(B. K. Thaly)
Presiding Officer
Industrial Tribunal-
cum-Labour Court.

Notification

No. 28/1/2015-Lab/Part-I/492

The following award passed by the Industrial Tribunal and Labour Court, at Panaji-Goa on 12-03-2015 in reference No. RIT/53/89 is hereby published as required by Section 17 of the Industrial Disputes Act, 1947 (Central Act 14 of 1947).

By order and in the name of the Governor of Goa.

Shashank V. Thakur, Under Secretary (Labour).
Porvorim, 6th May, 2015.

IN THE INDUSTRIAL TRIBUNAL
AND LABOUR COURT
GOVERNMENT OF GOA
AT PANAJI

(Before **Ms. Bimba K. Thaly, Presiding Officer**)

Ref. No. RIT/53/89

Shri Ramdas Borkar, ... Workman/Party I
Rep. by Goa Shipyard
Workers Union,
H. No. 222, Orulem,
Vasco-da-Gama, Goa.
V/s

M/s. Goa Shipyard Ltd., ... Employer/Party II
Vasco-da-Gama, Goa

Workman/Party I represented by Shri Subhash Naik.

Employer/Party II represented by Adv. Shri M. S. Bhandodkar.

AWARD

(Passed on this 12th day of March, 2015)

In exercise of the powers conferred by clause (d) of sub section (1) of Section 10 of the Industrial Disputes Act, 1947 (14 of 1947) (for short the Act) the Government of Goa by order dated 17-8-1989 bearing No. 28/28/85-LAB referred the following dispute for adjudication of this Tribunal.

“Whether the action of the management of M/s. Goa Shipyard Limited, in terminating the services of their workman, Shri Ramdas Borkar, with effect from 16-2-1984 is legal and justified?

If not, what relief the workman is entitled?”

2. Upon receipt of the reference, RIT/53/89 was registered. Notices were issued to both the parties under registered post, upon which both the parties were served. Party I filed the claim statement at Exb. 2. Party II filed written statement at Exb. 3. Rejoinder was filed by Party I at Exb. 4.

3. It is in short the case of Party I workman that he was first employed as a labour with M/s. Stalir Novas Goa in the year 1960 and when Mazagaon Dock took over the shipyard his services were taken over by Mazagaon Dock. It is stated that in 1965 Party II took over the said shipyard and even his services were taken over by Party II and his date of joining service was accepted as 17-9-62. It is stated that he was gradually promoted from one grade to another and at the time of termination of his services in the year 1984 he was working as “Gas Cutter”. It is stated that the Party I workman was the member of the Union known as Goa Shipyard Employees Union and was holding the post of Vice President. That in the year 1982 Party I along with some other workers resigned from the said Union and subsequently in Dec., 1982 they formed Party I Union and he was elected as Vice President of the same. It is stated that there were thus two Unions which started functioning in Party II. It is stated that the relation between both the Unions were strained. It is stated that on 26-2-83 at about 7.30 a.m. when Party I workman was working at the outer jetty, at around 8.10 a.m. the office bearers of Employees Union alongwith other

workers came there led by Mr. Puti Gaonkar, the General Secretary of that Union and said Mr. Gaonkar lifted him by his shirt and asked him whether he wanted the Union which was led by Shri George Vaz. He then along with Shri John Menezes, Shri B. Gauns, Shri Rosario Pereira and Shri Jerome Fernandes assaulted Party I with fist blows and kicks due to which Party I became unconscious and was taken to the hospital. It is stated that workmen, namely, Shri Shantaram Kamat, Shri Anthony Dias, Shri Baby James and Shri R. K. James were also treated at the hospital as they were also assaulted by Shri Puti Gaonkar and his gang. It is stated that on 28-2-83 Party I lodged complain with Party II regarding the incident of 26-2-83. The complains were also filed with police. It is stated that Party II issued charge sheets to 11 workers including Shri Puti Gaonkar. It is stated that Shri John Menezes on learning that charge sheet was issued to him lodged a false compliant with Party II stating that Party I has assaulted him on 26-2-83. It is stated that on the basis of this complain Party II issued charge sheets to Party I and others and enquiries were held into said charge sheets. It is stated to the enquiry officer held Party I and Mr Anthony Dias guilty of the charges of misconduct and as regards the enquiry against Shri P. Gaonkar and others, the enquiry officer held them guilty of misconduct of assaulting Party I and others. It is stated that upon receipt of the findings from the enquiry officer, the employee terminated the services of Party I and Shri Anthony Dias w.e.f . 16-2-84 but did not dismiss the other 11 workmen. It is the contention of Party I that the findings of the enquiry officer are perverse, not based on evidence on record and that the termination of his service is by way of victimization for Union activities. Party I also contended that the punishment of dismissal awarded to him is discriminatory, unjust and disproportionate and that he is entitled to reinstatement in service with full back wages.

4. In the written statement Party II has denied the case pleaded by Party I and has stated that one outside union wanted an entry into the yard and therefore the office bearers of employees union with the help of some workers of Party II formed an Union known as Goa Shipyard Workers Union which was a minority Union and as such Party II did not recognize it. It is stated that therefore the office bearers of the said Union started violent activities in the yard. It is stated that on 26-2-83 at 7.30 a.m. Party I, Shri Baby James, Anthony Dias and Shri Gurmit Singh gheraoed Mr. John Menezes were near machinery shop and that time Party I gave two punches on Shri John Menezes and Anthony Dias gave two slaps on his face.

5. It is stated that the charge sheets were issued against above persons but denied that the said complain was false. It is stated that after the enquiries and upon receipt of the findings of enquiry officer and after considering their past service record, the services of Party I and Shri Anthony Dias were terminated. Party II has denied that the 11 workers who were the members of Employees Union had assaulted Party I and others on 26-2-83. Party II has denied that the punishment imposed upon Party I is unjust, discriminatory or disproportionate and has stated that its action in terminating the services of Party I is legal and justified.

6. On the basis of the pleadings of the parties, the following issues, at Exb. 5, were framed.

1. Whether a fair, proper and impartial enquiry was held against Party I /workman as regards the incident of assault dated 26-2-1983?
2. Whether the workman fully participated in the D.E. and was given full opportunity to defend himself in the D.E.?
3. Whether the management acted in a fair manner by relying on the report and findings of the enquiry officer?
4. If so, whether the action of the management in terminating the services of Party I/workman based on the report of the enquiry officer is just and proper in the circumstances of the case?
5. Whether the above action of the management was approved by this Tribunal in IT/7/84 as contemplated u/s 33 (2)(b) of the Industrial Disputes Act?
6. Whether the finding given in regard to the fairness and legality of the domestic enquiry in IT/7/84 operates as res-judicata?
7. If this reference is held tenable inspite of the findings in IT/7/84 dated 25-9-1984, whether the action of the management in terminating the services of Ramdas Borkar is just and legal in the circumstances of the case?
8. If not, what relief's if any, is the workman entitled to in this Government reference?
7. Vide order dated 24-4-03 at 78/C the issues Nos. 1, 2 and 3 above which were treated as preliminary issues were answered in the affirmative. Subsequently vide Award dated

1-7-03 at Exb. 33, issue Nos. 4, 5 and 7 were answered in the affirmative and issue No 6 was answered in the negative. Vide issue No. 8, it was held that Party I workman was not entitled to any relief. In terms of this Award, the action of Party II in terminating the services of Party I w.e.f. 16-2-1984 was held as legal and justified and Party I was held as not entitled to any relief.

8. Party I challenged the order dated 24-4-03 as well as the Award dated 1-7-2003 before the Hon'ble High Court of Bombay at Goa in W.P. No. 6 of 2004 and vide oral judgment dated 5-3-2013 the Hon'ble High Court held that no case has been made out by Party I nor any perversity is disclosed in the findings of the Tribunal whilst disposing of the findings Nos. 1, 2 and 3 by order dated 24-04-2003.

9. As regards the Award dated 1-7-03 the Hon'ble High Court observed that the Tribunal was not justified to hold that the punishment inflicted to the Party I was not shockingly disproportionate to the misconduct merely because of the past records pointed out by Party II. The Hon'ble High Court also observed that the workers who were working in the rival Union and involved in the said incident, have been inflicted a lenient punishment of warning whereas Party I has been given the punishment of termination of service. And as such the punishment inflicted on Party I is shockingly disproportionate to the misconduct attributed to Party I. In view of this, the Hon'ble High Court quashed and set aside the Award dated 1-7-03 to the said extent and directed this Tribunal to proceed to hear the parties afresh with regard to the punishment to be awarded to the Party I on the ground of misconduct. It is in this situation the parties were heard by this court on the subject matter of punishment to be awarded to the Party I on the ground of misconduct.

10. Shri Subhash Naik representing Party I submitted that the punishment for misconduct is mentioned in clause 30 of the Certified Standing Orders (CSO) of Party II and the same is i) warned or censured, ii) Fined (subject to provisions of the Payment of Wages Act, 1936, as amended from time to time), iii) Subjected to stoppage of increments with or without cumulative effect, iv) Demoted to a junior category or lower grade, v) Stopped or withheld from promotion for one year, vi) Suspended, without pay for a period not exceeding 4 days at a time, vii) Discharged from service without notice or payment in lieu of notice, viii) Dismissed without notice or payment in lieu of notice. By referring to the observations made

by the Hon'ble High Court in the oral judgment dated 5-3-13, Ld. representative of Party I stated that since the Hon'ble High Court has made a comparison between the punishment of warning inflicted upon the workmen in the rival Union involved in the said incident and the punishment of termination of service imposed upon Party I, by further observing that the punishment inflicted upon Party I is shockingly disproportionate to the misconduct attributed to Party I, this court is prevented from imposing the punishments under clause 30 (a)(vii) and 30 (a) (viii) of CSO of Party II, which are of discharge and dismissal amounting to termination. According to him, in view of observations made by the Hon'ble High Court, this court can impose any of the punishments from clause 30 (a)(i) to 30 (a)(vi) of CSO of Party II. Thus, according to Ld. representative of Party II, upon holding that termination of service of Party I by Party II as illegal and unjust, this court would have to order reinstatement of Party I in service which would be from the date of his dismissal till the age of his retirement as apparently Party I has on today would have retired having reached the age of superannuation long back. He stated that Party I is thus entitled for back wages for the above period as apparently he was not gainfully employed during the above period. To substantiate his point that it is for Party II to prove that Party I was gainfully employed during the aforesaid period, Ld. representative for Party I relied on the judgment in the case **Deepali Gundu Surwase v Kranti Junior Adyapak Mahavidyalaya 2013 LAB I.C. 4249** in which it is observed that if the employer wants to avoid payment of full back wages, it has to plead and also lead cogent evidence to prove that the employee was gainfully employed and was getting wages equal to the wages he was drawing to prior to the termination of service. He then relied on the judgment in the case of **Bhuvnesh Kumar Dwivedi v Hindalco Industries Ltd. 2014 STPL (Web) 337 SC** in which by relying on the judgment in the case of **Deepali (Supra)** has observed that where the employee does not aver in the plaint of not being employed post termination of his service and the employer claims that the employee is gainfully employed somewhere, the burden to prove gainfully employment of the employee lies on the employer. Ld. representative of Party I also relied on the judgment in the case of **Collector Singh v L.M.L. Ltd., Kanpur C.A. No. 10125 of 2014(CS)** and stated that in this case as the workman had reached the age of superannuation, no order of

reinstatement was passed and considering the length of his service and also presuming that the workman must have been gainfully employed since nearly to decades passed since his termination, awarded lump sum amount of compensation of Rs. 5,00,000/-. Thus, according to Ld. representative of Party I, Party I herein is entitled to the same relief's as above.

11. On the other hand Ld. advocate for Party II submitted that there is difference between punishment of dismissal and of discharge which is that incase of dismissal a stigma is attributed to the employee which is not in case of discharge. He therefore stated that in view of the observations made by the Hon'ble High Court wherein the Hon'ble High Court has set aside the Award dated 1-7-03 only to the extent of punishment imposed without thereby touching to the other findings given in this Award the punishment of discharge from service as envisaged in clause 30(a) (vii) of CSO of Party II needs to be imposed upon Party I. As regards the gainful employment of Party I, Ld. advocate for Party II relied on the judgments in the case of **Talwara Co-operative Credit and Service Society Ltd. v Sushil Kumar 2008 (4) L.L.N.612**, **Kendriya Vidyalaya Sanghathan and Anr. v S.C. Sharma 2005 LLR 275**, and **National Textile Corporation (South Maharashtra) Ltd. v Dhondu Shantaram Tulaskar 2013 (4) LLN 513(Bom)** and **Atul Pansare v Hindustan Lever Ltd. 2013 III CLR 469**, to contend that burden is on workman to prove that he was not gainfully employed and once he discharges this burden, the onus would shift on the employer to show that concerned workman was in fact gainfully employed. By referring to the observations in the Award dated 1-7-03 wherein the misconduct committed by Party I has been discussed, Ld. advocate for Party II relied on the judgment in the case of **Holy Spirit Hospital & Anr. v Benjamin Fernandes 2013(1)ALL MR 683**, in which it is observed that showing leniency in case of assault would send wrong signal to other employees that one can get away lightly even with gross misconduct. He also stated that the misconduct committed by the workers in the rival union did not stand on the same footing as that of the misconduct by Party I and therefore same yardstick cannot be applied while imposing punishment on both. In support of his above submissions, he relied on the observations in the judgment in the case **M/s. Obettee Pvt. Ltd. v Mohd. Shafiq Khan AIR 2005 SC 3510** in which it is observed that when all the persons do not stand on the same footing, same yardstick of punishment, cannot be applied.

12. I have gone through the records of the case and have duly considered the arguments advanced. I have also gone through the oral judgment dated 5-3-13 passed by the Hon'ble High Court of Bombay at Goa in W.P. No. 6/2004 wherein this Tribunal is directed to decide the punishment to be awarded to Party I on account of the misconduct proved by Party II, after hearing the parties in accordance with law.

13. At the outset it is clear from the observations made by the Hon'ble High Court that the workers working in the rival union and Party I were involved in the same incident but lenient punishment of warning is inflicted upon the other workers whereas Party I has been given punishment of termination of services. No doubt, Ld. advocate for Party II by inviting my attention to the observations in the Award dated 1-7-2003 which indicate that out of the said two other workers one was guilty of only gheraoing and the other of leading a group of workmen with the intention to beat Party I whereas Party I was guilty of gheraoing and assaulting Shri John Menezes, stated that the nature of misconduct committed by both the groups is not same and therefore the question of comparing the punishments inflicted on both, does not arise. He by referring to the observations in the judgment in the case of **Bharat Petroleum Corporation Ltd. v N.R. Vairamani and Anr C.A. 7467 of 2013 SC** stated that observations of courts are neither to be read as Euclid's theorems nor as provisions of the statute and that too taken out of their context and they must be read in the context in which they appear to have been stated. By referring to this judgment he stated that to interpret words, phrases and provisions of a statute, it may become necessary for judges to embark into lengthy discussions but the discussion is meant to explain and not to define. Thus, according to Ld. Advocate for Party II, the oral judgment of the Hon'ble High Court needs to be read in context with the observations in the award dated 1-7-03.

14. It may be mentioned that reading of the oral judgment dated 5-3-13 of the Hon'ble High Court and more particularly para 9 of the same gives a clear indication that the Hon'ble High Court has made observations that Party I was belonging to a minority union whereas the remaining workers had formed an Employees Union and on the background of these facts, the punishment awarded to Party I would have to be assessed. The Hon'ble High Court has also observed that the allegation against Party I is

that he had given two punches on John Menezes whereas the allegation against Shri Puti Gaonkar and others was that they had assaulted Party I and in fact it is not in dispute that Party I had to be admitted to the hospital in an unconscious state. The Hon'ble High Court has observed that the material does not suggest that the punishment inflicted was justified due to the conduct and past record of Party I. The Hon'ble High Court has observed that two charge sheets were filed, one against Party I and the other against Shri Puti Gaonkar and others in connection with the same incident and in fact Party I suffered grievous injuries which resulted in his hospitalization. The Hon'ble High Court has observed that in the charge sheets against Shri John Menezes and Shri Puti Gaonkar similar charges of assault were levelled and this incident has to be considered in the background of the fact that there was rivalry in the union of workers working for Party II. The Hon'ble High Court has observed that the past record of Party I referred to by Party II refers to the charge sheets for which he has already been warned and therefore this by itself cannot justify the punishment of terminating the services on account of the incident which is the subject matter of the present proceedings.

15. From the above observations made by the Hon'ble High Court it can be safely presumed that the Hon'ble High Court was not oblivious of the facts of the case and therefore it would not be proper and justified to reassess the findings in the award dated 1-7-03. Even for that matter, Party II had challenged the oral judgment dated 5-3-13 in Letters Patent Appeal No. 3/2013 but the same too came to be dismissed by oral order dated 17-9-13 and thus the observations made in the oral judgment dated 5-3-03 are biding on this court.

16. As regards the observations in the judgment in the case **Bharat Petroleum (Supra)**, reading of this judgment makes it clear that the same have been made referring to the observations made in the judgment in the case of **Hindustan Petroleum Corporation Ltd. and Anr. v Dolly Das (JT) 1999 (3) SC 61** which are thus in a totally different context, unlike the set of facts in the instant case. Thus, the fact which remains in view of the observations of the Hon'ble High Court in the oral judgment dated 5-3-13 is that, this court has to award any punishment to Party I, other than that of the termination of service. Nonetheless, I am in agreement with the submissions of that Ld. representative of Party I that "termination" includes both i.e. dismissal and discharge and

therefore I have to restrict myself to the clauses 30 (a) (i) to 30(a)(vi) of CSO of Party II while inflicting punishment on Party I.

17. Be that as it may, as the Hon'ble High Court has placed Party I on the same footing as that of the workers from rival union as far as the nature of misconduct is concerned, in my view, even Party I needs to be inflicted upon the same punishment of "warning" as envisaged in clause 30(a)(i) of the CSO of Party I. Being so, the observations in the judgment in the case of **M/s. Obettee Pvt. Ltd., and Holy Spirit Hospital (both cited supra)** cannot be imported in this case.

18. The consequence therefore which would follow is that the termination of services of Party I is illegal and unjustified. It is a matter of record that the present reference is of the year 1989 which means that as on today it is more than 25 years old. Records reveal that on the day of recording of evidence of Party I i.e. as on 23-2-93 the age of Party I was 50 years which means that as in the year 2015 i.e. presently the age of Party I would be around 72 years. This in other words mean that Party I would have retired long back upon reaching the age of superannuation, as per the Standing Orders applicable to Party II. This being the case, the question of ordering reinstatement of Party I in service, does not arise.

19. Be that as it may, as regards the gainful employment of Party I after termination, in para 35 of the claim statement, Party I has pleaded as under:

"Meanwhile, having given the best years of his life to the company, Ramdas could not maintain his family as well send his children to school as he was out of employment. He, through his union, made several representations to the Government to refer the matter to the Tribunal, without any success."

20. In reply to the above pleadings, vide para 42 of the written statement, Party II has taken the plea as under:

"with reference to para 35 the contents of the same are denied. The company submits that the workman is a highly skilled Gas Cutter and there was abundant scope for such a skilled workers. The workman was employed at different yards in Goa during this period of his unemployment. The company states that since the workman was employed elsewhere he did not promptly act after the refusal of the reference. The workman filed a writ petition against the order of the refusal to make reference after a lapse of about 3 years."

21. From the nature of above pleading of the respective parties and more particularly the pleadings contained in para 35 of the claim statement, it becomes clear that though Party I has pleaded that he could not maintain his family so also send his children to school being out of employment but there is no specific pleading as to whether Party I was employed elsewhere or if he was getting salary much less than what he was getting with Party II. Being so, it is clear that Party I has failed to specifically plead that he was not gainfully employed or was employed on lesser wages after the termination of his services, and this is irrespective of whatever defence taken by Party II on this subject matter.

22. It may be mentioned that reading of the observations in the judgment in the case of **Deepali Surwase (supra)** nowhere gives an indication that the entire burden of proof of gainful employment of the employee rests on the employer even in the absence of pleadings on this subject, in the claim statement. In this judgment, the Hon'ble Apex Court after referring to the various judgments such as in the case of **Hindustan Tin Works Pvt. Ltd. v. Employees of Hindustan Tin Works Pvt. Ltd (1979)2 SCC 80**, **Surendra Kumar Verma v Central Government Industrial Tribunal cum Labour Court, New Delhi (1980) 4 SCC 443**, **P.G.I of Medical Education & Research, Chandigarh v Raj Kumar (2001)2 SCC 54**, **M.P. State Electricity Board v Jarina Bee (2003)6 SCC 141**, **Kendriya Vidyalaya Sanghathan and Anr. v S.C. Sharma 2005 LLR 275**, **General Manager, Haryana Roadways v Rudhan Singh (2005) 5 SCC 591**, **U.P. State Brassware Corporation Ltd. v Uday Narain Pandey (2006)1 SCC 479**, **Novartis India Ltd. v State of West Bengal (2009)3 SCC 124 etc.**, has culled out certain propositions in para 33 of the judgment (**Deepali Surwase**) and proposition at para 33 (iii) reads as under:

“Ordinarily an employee or workman whose services are terminated and who is desirous of getting back wages is required to either plead or at least make a statement before the adjudicating authority or the Court of first instance that he/she was not gainfully employed or was employed on lesser wages. If the employer wants to avoid payment of full back wages, then it has to plead and also lead cogent evidence to prove that the employee/workman was gainfully employed and was getting wages equal to the wages he/she was drawing prior to the termination of service. This is so because it is settled law that the burden of

proof of the existence of a particular fact lies on the person who makes a positive averments about its existence. It is always easier to prove a positive fact than to prove a negative fact. Therefore, once the employee shows that he was not employed, the onus lies on the employer to specifically plead and prove that the employee was gainfully employed and was getting the same or substantially similar emoluments.”

23. Reading of above observations therefore make it clear that the employee is not absolved of the burden of pleading or at least making a statement before the court of first instance that he was not gainfully employed or was employed on lesser wages. The responsibility on the employer would rest only in case if the employer wants to avoid payment of *full back wages* and in such case the employer has to plead and adduce evidence to prove that the employee was gainfully employed and was getting wages equal to the wages he was drawing prior to the termination of service. Thus, it is clear that the positive averment which the Party II was required to make in terms of the observations in **Deepali's** case was that “Party I was gainfully employed and was getting equal wages he was drawing prior to termination of service”, and such precise positive averment was required to be made only if Party II wanted to avoid *payment of full back wages*. Thus, the fact that remains is that in terms of the observations in the judgment in the case of **Deepali (Supra)** no case has been made out by Party I for claiming the back wages.

24. As regards the distinction between the facts in the case of **Bhuvnesh (Supra)** and the instant case, it is worthwhile noting that in this case, the Hon'ble High Court in the oral judgment dated 5-3-13 has not stated that Party I herein did not commit misconduct but what could be gathered from the observations, is that the punishment of termination of services imposed upon Party I by the Tribunal is shockingly disproportionate. On the other hand, in the case of **Bhuvnesh**, the appointment of the employee was made only for a temporary period with oblique motive to deprive his statutory rights and at the end of every working year he was relieved from the work and then after some days was again engaged. Thus, termination of services of the employee in this case was not on account of commission of misconduct by the employee, like in the instant case, in which the services were terminated on a serious ground as compared to the ground in the case of **Bhuvnesh**.

25. In the case of **Bhuvnesh**, the employee was terminated without paying retrenchment compensation or issuing any notice or paying wages in lieu of the same, as mandated under sec. 6 N of the U.P. Industrial Disputes Act. In this judgment, while holding that the termination of services of the employee was illegal and unjust, the question of payment of back wages to the employee was considered. While dealing with the same, the Hon'ble Apex Court referred to the observations in the judgments in the case of **Shiv Nandan Mahto v State of Bihar & Ors. (2013) 11 SCC 626** which are that an employee cannot be denied the benefit of back wages on the ground that he had not worked for the period when he was illegally kept out of service. The Hon'ble Apex Court has also referred to the observations in the judgment in the case of **General Manager, Haryana Roadways v Rudhan Singh (2005) 5 SCC 591**, which indicate that if the workman has rendered a considerable period of service and his services are wrongly terminated, he may be awarded full or partial back wages keeping in view the fact that at his age and the qualification possessed by him he may not be in position to get another employment. It may be mentioned that the judgment in the case of **Deepali (Supra)** has also been referred to in this judgment (**Bhuvnesh**) and further the propositions culled out from this judgment are highlighted herein. Nevertheless, as the fact situation in the case of **Bhuvnesh (Supra)** is different from the fact situation in the instant case, the observations made in the case of **Bhuvnesh** cannot be applied verbatim to the instant case. This is because every judgment must be read as applicable to the particular facts proved or assumed to be proved and no reliance on the decision should be placed without looking into facts situation in those respective cases.

26. I have already pointed out supra, the pleadings in para 35 of the claim statement where Party I has failed to specifically plead that he was not gainfully employed or was employed on lesser wages after the termination of services. It is therefore clear that Party I has failed to discharge the initial burden cast on him of proving the unemployment and therefore the question of Party II proving otherwise, does not arise. Things would be different, if Party I had made the required pleadings and Party II wanting to avoid payment of *full back wages* had not pleaded that Party I was gainfully employed and was getting wages equal to the wages he was drawing prior to the termination of service and it is only then one could

say that the burden of such pleading and proof lay on Party II which they have failed to discharge. This being the situation, I am of the considered opinion that the observations in the judgment in **Deepali's case** are of no assistance to Party I to claim back wages. Even otherwise, as observed in the judgment in the case of **Collector Singh (supra)** with passage of more than two decades (Three decades in the instant case) since the termination of services of the employee, over these years, the presumption is that the employee, must have been gainfully employed elsewhere.

27. Thus, Ld. Advocate for Party II is right in referring to the observations in the judgment in the cases of **Talwara Co-operative Credit, Kendriya Vidyalaya, National Textile, and Atul Pansare (both cited supra)** to contend that burden is on workman to prove that he was not gainfully employed and once he discharges this burden, the onus would shift on the employer to show that concerned workman was in fact gainfully employed.

28. Nevertheless, considering the fact that Party I has been litigating the matter for a period of over about 25 years and also in the light of settled law that the discretion of awarding back wages is entirely left with the Tribunal, which the Tribunal has to exercise in a judicial and judicious manner depending upon the facts and circumstances of each case and also in the light of the fact that Party I was in employment of Party II since 17-9-62 till the date of his termination on 16-2-84, in my view ends of justice would be met by ordering Party II to pay a lump sum compensation of an amount of Rs. 50,000/- to Party I which would be just, fair, equitable and proper in the facts and circumstances of the case.

In the result and in view of discussion supra, I pass the following:

ORDER

1. It is hereby held that the action of the Management of M/s. Goa Shipyard Limited in terminating the services of their workman Shri Ramdas Borkar, Gas Cutter, with effect from 16-2-1984 is illegal and unjustified.
2. The punishment of termination of services of Party I w.e.f. 16-2-1984 inflicted by Party II, is substituted with that of the punishment of warning, in terms of clause 30 (a) (i) of the CSO of Party II.
3. It is hereby further held that Party I Ramdas Borkar is not entitled for back wages and

for reinstatement in service having already crossed the age of superannuation, however he shall be paid gratuity from the date of joining the services till the date on which he would have retired upon superannuation, along with full legal and final settlement dues.

4. Workman Shri Ramdas Borkar shall be paid a lump sum compensation amount of Rs. 50,000/-, by Party II within 4 months from the date of publication of the Award.
5. In the facts and circumstances of the case there shall be no order as to costs.
Inform the Government accordingly.

Sd/-
(B. K. Thaly)
Presiding Officer
Industrial Tribunal-
-cum-Labour Court.

Notification

No. 28/1/2015-Lab/Part-I/494

The following award passed by the Labour Court-II, at Panaji-Goa on 16-03-2015 in reference No. LC-II/IT/15/10 is hereby published as required by Section 17 of the Industrial Disputes Act, 1947 (Central Act 14 of 1947).

By order and in the name of the Governor of Goa.

Shashank V. Thakur, Under Secretary (Labour).
Porvorim, 6th May, 2015.

IN THE LABOUR COURT-II
GOVERNMENT OF GOA
AT PANAJI

(Before **Shri Suresh N. Narulkar, Hon'ble
Presiding Officer**)

Case No. Ref. LC-II/IT/15/10

Shri Krishnath Chodankar, ... Workman/Party I
House No. 1360, Kerem,
Chorao, Ilhas
Panaji-Goa

V/s

M/s. Janata Consumer ... Employer/Party II
Co-operative Society,
Near J. B. Stores,
Mala, Fontainhas,
Panaji-Goa

Workman/Party I represented by Adv. Shri S. Taleigaonkar.

Employer/Party II represented by Adv. Shri P. Agarwal.

Panaji, dated: 16-03-2015.

AWARD

1. In exercise of the powers conferred by Section 10 (1) (d) of the Industrial Disputes Act, 1947, (Central Act 14 of 1947), the Government of Goa, by Order dated 23-08-2010, bearing No. 28/32/2010-LAB, referred the following dispute for adjudication by the Industrial Tribunal of Goa. The Presiding Officer, Industrial Tribunal cum Labour Court thereafter assigned the present dispute to the Labour Court-II vide its Order dated 25-08-2010.

“(1) Whether the action of the management of M/s. Janata Consumer Co-operative Society, Panaji-Goa, in refusing employment to Shri Krishnanath Chodankar, with effect from 01-02-2006 is legal and justified?

(2) If not, what relief the workman is entitled to?”

2. On receipt of the reference, a case was registered under No LC-II/IT/15/2010 and registered A/D notice was issued to the parties. In pursuance to the said notice, the parties put in their appearance. The Workman/Party I (for short, 'Workman'), filed his Statement of Claim on 02-11-2010 at Exb. 4. The facts of the case in brief as pleaded by the Workman are that the Employer/Party II (for short, 'Employer') is a Consumer Co-op. Society, engaged in the business of rationing and general stores. He stated that the Employer owned five shops, out of which three are situated in Panaji market, one at Mala and another at St. Inez. He stated that he was initially employed as a 'Branch In-charge' since 16-07-1979. He stated that subsequently he was promoted as "Secretary" since 15-07-2005. He stated that as a 'Secretary', he was drawing a salary of Rs. 4,000/- per month.

3. He stated that the Employer sought to illegally terminate his services on several occasions. He stated that on every occasion he had to take legal recourse to get himself reinstated and continuity in his service, thereby incurring him great monetary loss. He stated that he is in inimical terms with Mr. Uday Madaikar, the Managing Director of the Employer society.

4. He stated that amongst many other instances, by order dated 02-04-1996 his services were illegally suspended on various false and baseless charges. He stated that various complaints have been made by him against the Employer for discrimination and harassment meted out to him. He stated that since January, 2004, the Employer had neglected and failed to pay his salaries and as such proceedings were initiated against the Employer in the month of August, 2006 under the provisions of Payment of Wages Act, 1936. He stated that the said petition was disposed off, by order dated 20-09-2007, directing the opponent to pay to him the unpaid salaries amounting to Rs.1,71,000/- and a compensation of Rs. 25/- per head to him. He stated that inspite of the said order dated 20-09-2007, the Employer failed to pay him the said amount of Rs. 1,71,000/- as ordered, a recovery proceeding had to be commenced before the Mamlatdar of Tiswadi at Panaji. He stated that the Employer intentionally and with the sole object of harassing him, kept its shop/branch at Mala closed, thereby keeping him out of service. He stated that he diligently came to the shop regularly and upon noticing the shop closed, made various representation to the Asstt. Registrar of Co-op. Societies. He stated that the office of the Asstt. Registrar of Co-op. Societies directed the Employer Society to open its Mala branch by their letter dated 24-03-2006. He stated that he was asked to resume the employment at their branch by publishing a public notice in the Marathi daily "Gomantak" dated 24-03-2006. He submitted that the said method adopted by the Employer was fraudulent and calculated to deceive, cheat and play fraud upon him.

5. He stated that he was taken by surprise, when the Employer sought to suspend his duties by publishing notice in the Marathi daily "Gomantak" dated 01-07-2006. He stated that the Employer without any notice and behind his back, passed an order dated 02-07-2006, thereby placing his service under suspension. He submitted that the said order of suspension was apparently passed, subsequent to the publication of the order in the English daily "Gomantak" dated 01-07-2006. He submitted that the action of the Employer is malicious, arbitrary, mala fide, contrary to law and aimed at harassing him. He stated that on 02-07-2006, the Employer passed an order placing him under suspension on the alleged ground that he had failed to resume the duties from 24-02-2006 till date. He stated that neither the order nor the show cause notice was

communicated to him. He therefore, made a representation to the Registrar of Co-op. Societies, who in turn directed him to take recourse under the Industrial Disputes Act, 1947. He stated that he therefore made a complaint/representation to the Labour Inspector vide his letter dated 22-10-2007. He stated that the Employer however, did not attend the said proceedings, which were initiated upon his complaint dated 22-10-2007. He submitted that he suffered heavy monetary losses on account of non-payment of his wages for the entire period. He submitted that he is entitled to employment/reinstatement with full back wages along with interest thereon. The Workman therefore prayed for reinstatement in service of the Employer along with full back wages and interest @12% p.a.

6. The Employer controverted the claim of the Party I by filing their written statement on 18-02-2011 at Exb.7. The Employer, by way of preliminary objection, submitted that it is a consumer co-operative society set up under the provisions of the Goa State Co-op. Societies Act, 2001. The Employer submitted that the reference made by the Government as to the termination of the services of the Party I constitutes a dispute within the meaning of section 83 of the said Act and as such in view of the non-obstante clause contained in the said Act, the reference is not maintainable. The Employer submitted that it is also an establishment registered under the GDD Shops and Establishments Act, 1973 and rules 1975 made thereunder. The Employer submitted that the said Act is a self-contained code, incorporating all essential provisions relating to adjudication of a dispute, the relief to be given and the execution of the orders passed under the said Act and rules made thereunder. The Employer submitted that the provisions of the said Act prevails over the Industrial Disputes Act, 1947 being a self-contained later enactment assented by the President of India and as such the dispute should have been adjudicated before the said forum. The Employer further submitted that neither the Party I is a 'workman' nor it is an 'industry' as defined u/s 2(s) and 2 (j) respectively under the Industrial Disputes Act, 1947. The Employer submitted that since the Party I has already taken relief under the Payment of Wages Act, the present dispute is barred by Res-judicata.

7. The Employer submitted that it is a co-op. consumer society registered under the provisions of erstwhile Maharashtra Co-op. Societies Act, 1960, which was applied to the State of Goa before the enactment of Goa State Co-op. Societies Act,

2001. The Employer stated that it is classified as consumer society to fulfil the objects as laid down under the bye-laws No. 2 of its bye-laws and is engaged in the purchase and sale of consumer articles including controlled commodities through its shops/branches.

8. The Employer admitted that the Party I was appointed as its 'Branch In-charge' initially w.e.f. 16-07-1979 and after promotion, the Party I was working as a 'Secretary' till the date of his suspension. The Employer stated that as a 'Secretary', the main functions and duties of Party I were to manage its day to day business and for this purpose he is entrusted with the power to instruct, direct, supervise and control its salaried staff or servants. The Employer stated that there were many employees in the category of workmen subordinate to Party I. The Employer stated that the Party I used to instruct, direct, supervise and control his workmen. The Employer stated that the Party I has a history of blemished service records and was observed to be irregular in attendance and indulged in unauthorised absenteeism. The Employer stated that the Party I was chronic absentee and his absence from duties affected the normal functioning of the branch. The Employer stated that several memos, warnings, show-cause notices were issued to the Party I.

9. The Employer stated that in the year 1996, the Party I was charge-sheeted and placed under suspension vide its order dated 02-04-1996. The Employer stated that the Party I was again placed under suspension pending enquiry vide letter of its Administrator dated 23-08-2005. The Employer stated that the Party I was required to remain present at its St. Inez branch office during office hours for enquiry. The Employer stated that since the Party I was not attending the shop regularly, a letter addressed to the Party I was returned back with postal endorsement as 'shop closed on 25-08-2005'. The Employer stated that its Administrator therefore issued a public notice on 26-08-2005 in Gomantak daily intimating him that he is suspended. The Employer stated that thereafter on 20-10-2005 its Chairman wrote a letter to the Party I to attend an enquiry on 22-10-2005 at 6.30 p.m. and to remain present at its Mala branch from 24-10-2005 daily at 10.30 a.m. to 11.20 a.m. till completion of enquiry. The Employer stated that the Party I however, did not report for the enquiry nor attended at its branch as instructed and remained absent from 24-10-2005 onwards.

10. The Employer stated that upon election of the new Committee and resuming of its affairs, its managing committee were newly appointed on 23-02-2006, they came to know that its shop at St. Inez was not opened on account of absenteeism of its staff working at its St. Inez branch. The Employer stated that vide public notice dated 24-03-2006 published in the daily newspaper "Gomantak", the Party I as well as other staff were informed to resume their duties forthwith at its Mala branch. The Employer stated that the Party I and other staff however, failed to report for their duties. The Employer stated that the Party I however, made unnecessary correspondence to the Asstt. Registrar of Co-op. Societies making false allegation against them. The Employer stated that the Asstt. Registrar of Co-op. Societies vide its letter dated 30-05-2006 advised the Party I to report to its Chairman and joined the duties forthwith at Mala branch. The Employer stated that the Party I however, failed to report for his duties and continued remaining absent inspite of directions given to him by the Asstt. Registrar. The Employer stated that during the meeting of its executive committee held on 29-06-2006, it was unanimously resolved to suspend the Party I as he was continuously remaining absent for his duties from 25-03-2006.

11. The Employer stated that there was a complaint dated 04-10-2005 received from its ration card holders against the Party I alleging that he had mis-utilised his position in misappropriating its funds by way of selling large quantity of rice meant for them under the scheme of 'Antyodaya Ann Yojana' to the parties of their choice. The Employer stated that the Party I is self-employed and is earning more than what he was earning with them. The Employer denied the overall case as pleaded by the Party I in his Claim Statement and prayed that the termination of services of the Party I be held as just, legal and proper.

12. Though opportunities were given to the Party I to file rejoinder to the written statement filed by the Employer, the Party I chose not to file his rejoinder. The Party I however, denied the contents of the written statement which are contrary to his case by making remark to that effect.

13. Based on the pleadings filed by the respective parties, this court framed following issues on 28-03-2011 at Exb. 10.

1. Whether the Workman/Party I proves that he is a 'Workman' as defined u/s 2 (s) of the I.D. Act, 1947?
2. Whether the Employer/Party II proves that it is not an 'Industry' as defined u/s 2 (j) of the I.D. Act, 1947?
3. Whether the Employer/Party II proves that this Court has no jurisdiction to entertain and try the present dispute raised by the Workman/Party I in view of the contention raised in para 2 (a), 2(b) and 2(e) of its Written Statement?
4. Whether the Workman/Party I proves that he was refused the employment by the Employer w.e.f. 01-02-2006?
5. Whether the Workman/Party I proves that the action of the Employer/Party II in refusing employment to him w.e.f. 01-02-2006 is illegal and unjustified?
6. Whether the Workman/Party I proves that he is entitled for any relief?
7. What Order? What Award?

14. My answers to the aforesaid issues are as under:

- 1) Issue No. 1 In the negative.
- 2) Issue No. 2 In the negative.
- 3) Issue No. 3 In the negative.
- 4) Issue No. 4 Does not arise.
- 5) Issue No. 5 Does not arise.
- 6) Issue No. 6 In the negative.
- 7) Issue No. 7 As per final order.

REASONS

15. *Issue No. 1:* Vide Order dated 16-01-2015 passed in my findings on the Preliminary Issue No. 1, I have come to the conclusion and held that the Party I failed to prove that he is a "Workman" within the meaning of Sec. 2(s) of the I. D. Act, 1947. The Issue No. 1 is thus answered in the negative.

16. *Issue Nos. 2 & 3:* Vide Order dated 16-01-2015 passed in the findings on the Preliminary Issue No. 2 and 3, I have come to the conclusion and held that the Employer/Party II is an 'Industry' as defined u/s 2 (j) of the I. D. Act, 1947 and that the Employer failed to prove that this Court has no jurisdiction to entertain and try the present dispute raised by the Party I in view of the reasons mentioned in para 2 (a), 2 (b) and 2 (e) of its written statement. The issue No. 2 and 3 are therefore answered in the negative.

17. *Issue Nos. 4, 5 and 6:* Vide Order dated 16-01-2015 passed in my findings on the Preliminary Issue No. 1, I have come to the conclusion and held that the Party I failed to prove that he is a "Workman" within the meaning of Sec. 2(s) of the I. D. Act, 1947. Consequently, the dispute referred by the Government of Goa for its adjudication is not an "Industrial Dispute" within the meaning of Sec. 2 (k) of the I. D. Act, 1947 and as such this Court has no jurisdiction to adjudicate the present dispute referred by the Govt. of Goa. Hence the question of deciding the issue Nos. 4 & 5 i. e. "Whether the Workman/Party I proves that he was refused the employment by the Employer w.e.f. 01-02-2006?" and that "Whether the Workman/Party I proves that the action of the Employer/Party II in refusing employment to him w.e.f. 01-02-2006 is illegal and unjustified?" does not arise. The Party I is therefore not entitled to any relief. The Issue Nos. 4 and 5 are therefore answered accordingly and the issue No. 6 is answered in the negative.

In view of the above, I proceed to pass the following order:

ORDER

1. It is held that the Party I, Shri Krishnanath Chodankar, is not a "Workman" as defined u/s 2 (s) of the Industrial Disputes Act, 1947.
2. It is further held that the dispute as to "Whether the action of the management of M/s. Janata Consumer Co-op. Society, Panaji Goa, in refusing employment to Shri Krishnanath Chodankar, with effect from 01-02-2006, is legal and justified?" does not survive.
3. The Party I, Shri Krishnanath Chodankar is not entitled to any relief.
4. No order as to cost.
5. Inform the Government accordingly.

Sd/-
(Suresh N. Narulkar)
Presiding Officer
Labour Court-II.

State Directorate of Craftsmen Training

Notification

No. 3/SDCT/TPO/IMC/BIC/1801

In pursuance of the guidelines issued by Government of India for constitution of Institute Managing Committee (IMC) for the ITIs vide D.O.

No. DGET-21(3)97-cpiu (Vol. IV) dated 25-01-2002 from the Director General of Employment & Training and Joint Secretary, Government of India, Ministry of Labour, New Delhi, the Government is pleased to re-constitute the Institute Managing Committee of Bicholim Government ITI from the date of issue of this Notification.

Constitution:

- | | |
|--|---------------------|
| 1. Mr. P. Jayanand
M/s. Power Engineering India
Pvt. Ltd., Tuem Industrial Estate,
Tuem, Pernem-Goa. | Chairman |
| 2. Mr. Atrey P. Sawant
M/s. Atery Engineering Works Ltd.,
Pilgao, Bicholim, Goa. | Member |
| 3. Mr. William Karra
M/s. Power Engineering India
Pvt. Ltd., Tuem Industrial Estate,
Tuem, Pernem Goa | Member |
| 4. Ms. Orlene D'Souza
M/s. Power Engineering India
Pvt. Ltd., Tuem Industrial Estate,
Tuem, Pernem-Goa. | Member |
| 5. Shri. V. S. Krishnan
M/s. Nestle India Ltd., Bicholim Goa. | Member |
| 6. Mr. Atul Pai Kane
M/s. Power Engineering Corporation,
Tuem Industrial Estate, Tuem,
Pernem Goa. | Member |
| 7. Mr. Rajkumar Kamat
M/s. E. P Industries,
AG-14, Campal Trade Centre,
Panaji Goa. | Member |
| 8. Mr. Shivshankar Jirge
M/s. Shivraj Accumulators,
Shivaji P. Ground Vasudev Arcade,
Office No. 6 & 7, Opp. Shivaji Maidan,
Bicholim Goa. | Member |
| 9. Representative of SDCT
State Directorate of Craftsmen Training,
Shramashakti Bhavan, 3rd Floor,
Patto, Panaji Goa. | Member |
| 10. Principal
Bicholim Government ITI,
Bicholim Goa. | Member
Secretary |
| 11. Faculty Representative to be
nominated by the Principal,
Bicholim Government ITI,
Bicholim Goa | Member |
| 12. Student Representative to be
nominated by the Principal,
Bicholim Government ITI,
Bicholim-Goa. | Member |

The terms of reference shall be as per attached annexure also specifying therein indicators for monitoring the performance of the IMC.

The term of office of the IMC shall be three years from the date of issue of this notification or till the re-constitution of the IMC thereafter. The members representing the industries may change by name and number depending upon the necessity of the IMC from time to time under specific orders of the Government. Change in the official members, if any, shall be on the basis of the recommendations of the State Director of Craftsmen Training.

The IMC shall meet as frequently as required and in any case at least once in three months. The members will have to intimate to the Chairman about his inability to attend the meeting and obtain leave of absence. Any member remaining absent for three consecutive meetings without leave of absence shall cease to be member of the IMC from the date of third absence.

The non-official members, who attend the meeting shall be paid a fixed honorarium of Rs. 400/- per meeting and no other TA/DA shall be payable.

By order and in the name of the Governor of Goa.

Aleixo F. da Costa, State Director & ex officio Joint Secretary (Craftsmen Training).

Panaji, 24th April, 2015.

Notification

No. 5/15/TRG/SDCT/2015/1926

Whereas Government of India introduced a Scheme for Upgradation of 1396 Government ITIs in to Centre of Excellence (CoE) through Public Private Partnership (PPP) in specific trades and skills with active participation of Institute Managing Committee (IMC) and other Stake holders.

And whereas the State Government decided to implement the said Scheme and upgrade Vasco Government ITI, into Centre of Excellence (CoE) under this scheme.

And whereas the State Government constituted a State Steering Committee (SSC) vide Notification No. 5/15(1)/TRG/SDCT/09, dated 10-12-2009 for monitoring the implementation of the scheme for a period of 03 years.

Now, therefore, State Government is pleased to re-constitute State Steering Committee (SSC) with constitution as under:

- | | | |
|---|---------------------|---|
| 1. Secretary (Craftsmen Training)
Government of Goa,
Secretariat- Porvorim Goa. | Chairman | 3. Authorize submission of reports to the National Steering Committee (NSC) or Central Government. |
| 2. Principal Chief Engineer (PWD)
or his representative
Public Works Department
Altinho, Panaji Goa. | Member | 4. Review and approve training plans for the staff of State Implementation Cell (SIC). |
| 3. Assistant Accounts Officer
State Directorate of Craftsmen
Training, 3rd Floor, Shramashakti
Bhavan, Patto, Plaza, Panaji Goa. | Member | 5. Co-ordinate with Industry/Industry Partner/
/Industry Association at the State Level to resolve
bottlenecks in implementation of the Scheme, if any. |
| 4. Three Industry Representatives
nominated by
major Industry Associations. | | 6. Perform any other specific functions as provided
under the tripartite Memorandum of Agreement
(MoA). |
| a. Mr. Anirudh Dempo
Managing Director,
M/s. Goa Paints,
Dempo Trade Centre,
Panaji-Goa | Member | |
| b. Mr. Kiran Nayak
Kirti Marine,
D3/12, Sancoale Industrial Estate,
Zuarinagar, Sancoale-Goa | Member | |
| c. Mr. Parag Joshi
Managing Partner,
Jutex, Vasco-da-Gama | Member | |
| 5. Representatives by the State having
knowledge, expertise and interest
in Vocational Training. | | |
| a. Director of Education or
his representative
Porvorim-Goa | Member | |
| b. Shri Kirit Maganlal
IMC Member (Panaji Govt. ITI) | Member | |
| c. Shri Manish Gosalia
Managing Trustee
Goa Knowledge Foundation
Margao-Goa | Member | |
| 6. State Director of Craftsmen
Training, State Directorate of
Craftsmen Training, Panaji-Goa | Member
Secretary | |

The role and responsibility of the State Steering Committee shall be as indicated herein below:-

1. Guide and monitor implementation of the Scheme at the State level.
2. Assess and recommend Institute Development Plan (IDP) prepared by the IMC to the Central Government for financing under the Scheme.

The term of office of the State Steering Committee (SSC) under this Scheme shall be for a period of 3 years from the date of issue of this notification or till the re-constitution of the SSC thereafter whichever is later. The members representing Departments dealing with Vocational Training & Employment and representatives of Industry Association may change by name and number from time to time under specific orders from the State Government.

The State Steering Committee shall meet as frequently as may be felt necessary and otherwise at least once in three months.

The non official members who attend the meeting shall be paid a fixed honorarium of Rs. 400/- (Rupees four hundred only) per meeting and no other TA/DA shall be payable.

By order and in the name of the Governor of Goa.

Aleixo F da Costa, State Director & ex officio Joint Secretary (Craftsmen Training).

Panaji, 4th May, 2015.



Department of Law & Judiciary

Law (Establishment) Division

Order

No. 35/5/2013/LD-Estt/951

In partial modification of Government Order No. 35/5/2013/LD-Estt./2468 dated 06-11-2014, the Government upon considering the representation dated 19-11-2014 of the Notary, hereby curtails the suspension period from 1 (one) year to 6 (six) months, subject to the condition that further irregularities, if any, noticed on part of the Notary will invite cancellation of Notary Licence permanently.

By order and in the name of the Governor of Goa.

R. K. Srivastava, Principal Secretary (Law).

Porvorim, 6th May, 2015.

Order

No. 2/45/2014-LD(Estt.)/1017

Read: 1) Government Order No. 8/34/2005-LD(Estt) Part-I/1411 dated 04-10-2012.

On recommendation of Goa Public Service Commission vide their letter No. COM/II/11/58(2)/2014/163 dated 29-04-2015, ex-post facto approval of Government is hereby accorded for extension of ad hoc promotion to Shri Ramdas L. Pednekar, District Registrar (South), for a further period from 01-11-2014 to 30-06-2015, on the same terms and conditions cited in Order No. (1) referred to in the preamble.

By order and in the name of the Governor of Goa.

Amul S. Gaunker, Under Secretary (Estt.).

Porvorim, 12th May, 2015.

Order

No. 2/44/2014-LD(Estt.)/1051

Read: 1) Government Order No. 8/8/2011-LD(Estt) dated 25-04-2011.

On recommendation of Goa Public Service Commission vide their letter No. COM/II/11/58(1)/2011/2651 dated 22-11-2012 & letter No. COM/II/11/58(1)/2015/163 dated 05-05-2015, ex-post facto approval of Government is hereby accorded for extension of ad hoc promotion to Shri Pandharinath S. S. Bodke, State Registrar-cum-Head of Notary Services, for a period from 25-04-2012 to 24-10-2012 and for a further period from 25-10-2012 to 31-05-2015, on the same terms and conditions cited in Order No. (1) referred to in the preamble.

By order and in the name of the Governor of Goa.

Amul S. Gaunker, Under Secretary (Estt.).

Porvorim, 15th May, 2015.

**Department of Panchayati Raj and
Community Development**

Directorate of Panchayats

Notification

No. 17/219/DP/Accts/RGPSA/2015-16/3068

Government of Goa is pleased to constitute the following members under the Chairmanship of Chief Secretary of State Executive Committee (SEC) under Rajiv Gandhi Panchayat Sashaktikaran Abhiyan (RGPSA).

1. Chief Secretary	Chairman.
2. Secretary—Finance	Member.
3. Secretary—Panchayati Raj	Member.
4. Secretary—Rural Development	Member.
5. Secretary—State Election Commission, Goa	Member.
6. Director—Planning, Statistics & Evaluation	Member.
7. DG—GIPARD (SIRD)	Member.
8. Representative of MOPR Commission	Member.
9. Representative of State Finance Commission	Member.
9. Director—Panchayats	Member. Secretary.

Gurudas P. Pilarnekar, Director & ex officio Joint Secretary (Panchayats).

Panaji, 1st. June, 2015.

◆◆◆

Department of Personnel
Corrigendum

No. 2/7/76-PER (Vol. III)

Read: Order No. 2/7/76-PER (Vol. III) dated 14-12-2005.

The condition mentioned in the last para of Government order dated 14-12-2005 read in the preamble stands relaxed, for a period of one year with immediate effect.

By order and in the name of the Governor of Goa.

Umeshchandra L. Joshi, Under Secretary (Personnel-I).

Porvorim, 11th May, 2015.

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Published and Printed by the Director, Printing & Stationery,
Government Printing Press,
Mahatma Gandhi Road, Panaji-Goa 403 001.

PRICE—Rs. 20.00

PRINTED AT THE GOVERNMENT PRINTING PRESS, PANAJI-GOA-61/350-6/2015.